



Practitioner's Docket No. U 012697-9

#101
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: JOSE JAMES, et al

Application No.: 09/537,252

Filed: MARCH 28, 2000

For: SINGLE STEP PROCESS FOR THE SYNTHESIS OF NANOPARTICLES OF CERAMIC OXIDE POWDERS

Group No.: 1754

Examiner: N. NGUYEN

Assistant Commissioner for Patents

Washington, D.C. 20231

CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME

NOTE: 37 C.F.R. § 1.704(b)"... an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should, therefore, be made. See the Notice of April 7, 1986, 1065 O.G. 31-33.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

*RECEIVED
MAR 07 2002
TC 1700*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents,
03/21/2002 VBARBER 00000004 120425 09537252 Washington, D.C. 20231

01 FC:115 110.00 CH 37 C.F.R. 1.8(a) 37 C.F.R. 1.10*

with sufficient postage as first class mail.

as "Express Mail Post Office to Address"
Mailing Label No. EV 011020831 US
(mandatory)

TRANSMISSION

transmitted by facsimile to the Patent and Trademark Office.

Date: February 28, 2002

Barbara D. Santiago
Signature

BARBARA D. SANTIAGO

(type or print name of person certifying)

*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement

EXPRESS MAIL LABEL

NO.: EV 011020831 US

will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.
NOTE: For use only when no petition and fee for extension of time is filed.

This conditional petition is being filed along with the
accompanying NEW APPLICATION TRANSMITTAL (DIVISIONAL U 013853-6)
(Indicate type of PTO response being filed)
and provides for the possibility that applicant has inadvertently overlooked the need for a petition and
fee for extension of time.

Conditional petition for extension of time

If any extension of time for the accompanying response is required, applicant requests that
this be considered a petition therefor.

Status

This application is on behalf of

- other than a small entity.
 a small entity.

A Statement or Written Assertion:

- is attached.
 is already filed.

Authorization for payment of fees

The Commissioner is authorized to charge any fees under 37 C.F.R. § 1.17(a) to (d), which
may be required by this Conditional Petition to Account 12-0425.



SIGNATURE OF PRACTITIONER

Reg. No.33,778

JANET I. CORD
(type or print name of practitioner)

Tel. No.: (212)708-1935

LADAS & PARRY
P.O. Address

Customer No.: 00140

26 WEST 61ST STREET
NEW YORK, NEW YORK 10023